(Amendment) Ordinance, 2004, effective from January 01, 2005, was promulgated on December, 26, 2004, to *inter-alia,* comply with India's international obligations contained in the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs) which were due from January, 01,2005. While considering the amendments, efforts have been made not only to fulfil India's final obligation under the TRIPs Agreement, but also to simplify and rationalize the procedure governing grant of patents so as to make the system more efficient and user-friendly. The main features of the amendment are: introduction of product patent protection in the fields of drug, food and chemicals (in other sectors product patent protection is already available); omission of exclusive marketing rights (EMRs) provisions which were introduced in the first amendment; clarification of provision relating to patenting of software related inventions; modification of opposition procedure; introduction of provision for enabling export of medicines to countries which have insufficient or no manufacturing capacities; strengthening of national security provision; rationalization of provisions relating to time-lines and simplification of procedures.

Given the importance of the issues, the Government undertook broad-based and extensive consultations involving different interest groups on aspects of the law. These included scientists, academicians, economists, representatives of various industry sectors (such as pharmaceutical, biotech and software), chambers of commerce, private and public sector units, journalists, non-Governmental organizations, representatives of State Governments, lawyers and attorneys. During the wide ranging consultations, it emerged that not only were the amendments necessary to meet India's international legal obligations, but also that the Indian industry as a whole has remarkably transformed itself over the past few years, and would stand to gain from a strengthened and balanced patent regime.

Suggestions have been received from different organisations on the provisions of the patent law. These relate to patentability criteria, opposition procedures, compulsory licence and export to other countries. All views and concerns have been taken into account and will be further considered during discussions of the Bill in Parliament to replace the Ordinance.

Establishment of heavy industries in Jammu and Kashmir

1563. SHRI T.S. BAJWA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that J&K is one of the States where there is no significant presence of heavy industnes even after decades of independence;

(b) if so, the reasons therefor;

(c) whether Government have carried out any study to ascertain the suitability of climatic conditions and availability of natural raw material for heavy industries such as wrist watches in the State;

(d) if so, details thereof, and

(e) the steps proposed to be taken to establish heavy industries in the State of J&K?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI E.V.K.S. ELANGOVAN) (a) to (e) The Government has not carried out any study in the recent past regarding suitability of heavy industries in Jammu & Kashmir One company *i.e.* HMT Chinar Watches has been established in Jammu & Kashmir in 1972 At the time of establishment of the unit, a pre-feasibility study was carried out by HMT

The Government (Department of Industrial Policy & Promotion) has announced a package of incentives for development of industries in the State of Jammu & Kashmir on 14 06 2002 Under the package various concessions have been allowed to industrial units in the State which include development of industrial infrastructure, excise and income-tax exemption and Subsidy Schemes like Central Capital Investment Subsidy, Central Interest Subsidy and Central Comprehensive Insurance Scheme

Implementation of IT-based Information dissemination Plan in Tea Industry

1564 SHRI TARINI KANTA ROY: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government has implemented IT-based Information Dissemination Plan for the tea industry, including conversion of manual auction into electronic auction;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?